

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2024

SEAN F. MCAVOY, CLERK

United States of America

v.

JESUS BIRRUETA-MENDOZA
GERMAIN REYNA SAUCEDO

Case No. 1:24-MJ-04012-ACE

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 18, 2024 in the county of Yakima in the
Eastern District of Washington, the defendant(s) violated:

Code Section

Offense Description

21 United States Code, Sections
841 (a)(1), (b)(1)(A)(viii), 2

Possession With Intent to Distribute 50 Grams or More of Methamphetamine

This criminal complaint is based on these facts:

On or about January 18, 2024, in the Eastern District of Washington, Defendant did knowingly and intentionally possess with the intent to distribute 50 grams or more of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii), 2.

☒ Continued on the attached sheet.DAINA M NUNEZ Digitally signed by DAINA M NUNEZ
Date: 2024.01.19 14:17:14 -08'00'

Complainant's signature

Daina Nunez, Special Agent, Homeland Security Investigations

Printed name and title

☒ Sworn to telephonically and signed electronically☐ Sworn to before me and signed in my presence.Date: 01/19/2024City and state: Yakima, Washington

Judge's signature

ALEXANDER C. EKSTROM, U.S. Magistrate Judge

Printed name and title



AUSA: MDM

COUNTY: YAKIMA

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Daina Nunez, having been duly sworn, do hereby depose and state as follows:

1. On January 11, 2024, HSI Yakima received information from a cooperating individual (CI) about a subject – later identified as Jesus BIRRUETA Mendoza – involved in drug smuggling. The CI said BIRRUETA had access to 50 pounds of methamphetamines and was offering to “front” a sample of the product available.

2. The CI considered Confidential and Reliable. The CI worked in the past for consideration on Federal Drug Trafficking Crimes. The CI fully cooperated and was able to reduce his / her sentence. During the CI’s assistance, which began in late 2017, he /she completed over 20 controlled purchases of cocaine, marijuana, heroin, Fentanyl laced pills and methamphetamine. The purchases of methamphetamine had a combined weight of over 3000 grams and were obtained on numerous occasions. The CI assistance led to several arrests and convictions for Federal and State drug trafficking crimes and firearm violations. To my knowledge, at no time, while working as a CI has he / she provided false information to Law Enforcement. The CI is an admitted ex-drug trafficker to include pound quantities of methamphetamine. The CI has a strong working knowledge of drug trafficking organizations and how they operate. The CI also

has a strong knowledge of how drugs are packaged, sold, transported, and delivered, to include methamphetamine. After serving a Federal Prison sentence of almost two years, he / she was released early from Federal Probation due to compliance with his / her set conditions. According to a current NCIC Criminal History Check (1/18/24), the CI is a one-time convicted felon, stemming from the incident listed above. The CI also has two convictions for Vehicle Meddling from 2013, which is over 10 years old.

3. On January 11, 2024, a CI met with BIRRUETA and was given approximately 40 grams of methamphetamines. BIRRUETA arrived at the predetermined meet location driving a Dodge Durango bearing Washington State license plate CEJ3920. The transaction was observed by HSI agents.

4. On January 17, 2024, the CI contacted BIRRUETA and made tentative arrangements to purchase 50 pounds of methamphetamines for \$60,000.00.

5. On January 18, 2024, at approximately 12:30 pm, the CI contacted BIRRUETA and made arrangements to meet at the Bi-Mart located in Sunnyside, Washington. Agents visually monitored the location.

6. At approximately 1:50pm, agents observed BIRRUETA arriving at the location driving the above-mentioned Dodge Durango. BIRRUETA was the driver of the Dodge Durango and was accompanied by one passenger, later

identified as Germain REYNA Saucedo. The conversation between BIRRUETA and the CI was monitored and conducted in Spanish. DEA Task Force Officer (TFO) A. Garcia, who speaks Spanish, heard the CI ask where the drugs were located and be told that they were in the back seat. The CI was then instructed to open the back driver side door of the Durango by one of the occupants of the vehicle. TFO Garcia could hear plastic moving as agents observed the CI looking in the backseat. BIRRUETA told the CI the bag contained 25 pounds, half of the agreed upon weight.

7. Agents moved in and arrested both subjects. Agents could see a handgun inside a holster on REYNA's waistband as he complied with commands during the arrest. In addition to the handgun, REYNA had approximately \$1600.00 in United States currency on his person. Agents could see a large black plastic garbage bag on the backseat of the Durango, the garbage bag was lumpy as if it contained multiple smaller packages.

8. The CI was debriefed following the meet and the CI told agents when he opened the bag he observed what was believed to be methamphetamines inside Ziploc bags. Based on experience, the CI believed they were individually wrapped one pound packages.

9. The Dodge Durango was towed and a secured pending an application for a search warrant.

10. After being advised of his rights, REYNA requested to speak with an attorney before answering any questions. After requesting an attorney, REYNA voluntarily stated that the driver was giving him a ride to Seattle. Agents interviewed BIRRUETA and, after being advised of his rights, BIRRUETA stated he was getting paid \$500.00 to make a delivery but denied knowing what was inside the bag he was delivering. BIRRUETA said he did not know the individual he was meeting in Sunnyside and that he received a phone call directing him to make the delivery.

11. On January 19, 2024, agents applied for and were granted a search warrant for the Dodge Durango related to violations of 21 USC § 841(a)(1). The warrant was signed in the Eastern District of Washington by the Honorable Alexander C. Ekstrom, United States Magistrate Judge, on January 19, 2024 (1:24-MJ-04011-ACE). Pursuant to the search warrant, on January 19, 2024, agents opened the black plastic bag on the back seat of the Durango. Inside the bag were 25 individually wrapped packages containing a white crystal substance. Using a Marquis Reagent field test, the white substance was tested and found to be positive for amphetamines. The packages of the white substance weighed 25.70 pounds, which is approximately 11,657 grams.

12. Based on my training and experience, I know 25 pounds of methamphetamines is well above what a typical user retains for personal use, and

that such large quantities are indicative of an intent to divide, package and resell the narcotics. Further, based upon the circumstances related above, BIRRUETA and REYNA came to the location for the expressed purpose of distributing the methamphetamines.

CONCLUSION


13. Based on the large amount of suspected methamphetamines recovered, I believe that on or about January 18, 2024, BIRRUETA and REYNA, in the Eastern District of Washington, did commit a violation of 21 U.S.C. § 841(a) in that they possessed with intent to distribute and dispense a controlled substance, to wit: methamphetamine over the amount of 50 grams.

I declare and affirm under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DAINA M NUNEZ Digitally signed by DAINA M NUNEZ
Date: 2024.01.19 14:18:19 -08'00'

Daina Nunez, Special Agent
Homeland Security Investigations

SUBSCRIBED electronically and sworn to telephonically this 19th day of January 2024.


Alexander C. Ekstrom
United States Magistrate Judge

